

# TOWN & COUNTY ZONING

## ZA Report Dated 11-9-12

### 10-9-12 to 11-9-12

#### I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Cone/Thompson++	10-8-12	10-11-12	Principal Single Family Dwelling 312 Mondamin Trail
Breunig, Kari	10-9-12	10-11-12	Land Disturbing Activity 2794 North Shore Road
Martse, Ltd	10-11-12	10-11-12	Land Disturbing Activity 807 Bell Street
Breunig, Kari+	10-4-12	10-11-12	Accessory Dwelling 2794 North Shore Road
MI Ferry Lines++		10-12-12	No Town Permit – Replacement Sanitary HT 687 Middle Road
HRA Investors	10-10-12	10-19-12	Land Disturbing Activity 922 Middle Road
(After the Fact. Permit required by Order of the Town Board. Order of Correction satisfied and violation abated. Permit approved on condition fill material is removed from wetland areas identified on the wetland delineation.)			
Gerou, Ann	9-27-12	10-19-12	Road Access Xxx Stone Pt Lane
(Inspection by DNR on 10-11-12 with A. Nelson. No wetlands at site of proposed access drive. )			
Roffers, Frank	10-17-12	10-17-12	Permit Extension 1390 Middle Road
Gagnon, Mark	10-22-12	10-25-12	Accessory 1878 North Shore Rd
Brooks, Carl	10-31-12	11-1-12	Accessory/Drive Ext 3156 Big Bay Road

(DNR inspection 10-11. Site of bldg moved to avoid wetlands.)

### **Certified Survey Maps**

<b>Name</b>	<b>TPC approve/deny</b>	<b>TB approve/deny</b>	<b>Address</b>
<b>Schaub, Janine</b>	10-17-12	10-23-12	Hagen Rd
(Rec'd ROD recorded copy for the file.)			
<b>Gagnon, Mark</b>	11-7-12	pending	1878 N. Shore
(pending TB approval and Ashland County review. On 11- 13 TB agenda)			

### **II. Permit Applications in Progress:**

<b>Name</b>	<b>DateReceived</b>	<b>Project/ Address</b>
<b>MIYC</b>	11-20-07	CUP – Warehouse/Boat Storage Fire # 633 Main St
(CUP not yet issued due to sanitary not in order.)		
<b>Slater/McCue+</b>	1-20-11	SFD 1268 Big Bay Road
(waiting for shoreland restoration plan per DNR requirements. Per L. Hildebrandt the applicant has two choices, either submit a restoration plan or choose not to disturb the existing buffer – no mow etc. Slater has communicated to L. Hildebrandt that they will make their decision in the spring of 2012 when they want to build.)		
<b>Weiner, Sara+</b>		Single Family Dwelling Oak Lane
(Needs sanitary reconnect permit – waiting for application and plumber inspection report.)		
<b>LaDuke, Winona+++</b>	4-28-12 (incomplete)	Land Disturbing Activity, Accessory (x2), Long Term Camping Unit
(Ms. LaDuke has not moved forward with any permits on the property. No wetland fill permit has been issued by the DNR since the application has been incomplete. Several complaints about parking on County Hwy in front of the property. The driveway access was permitted to allow an off-street parking space but the access has not been installed. I recently received copy of letter from Army Corps to Ms. La Duke, states application for fill incomplete.)		
(Sanitary Permit not yet submitted – application incomplete.)		
<b>Wilharm, Paul</b>	<b>10-2-12</b>	Land Disturbing Activity 3044 Big Bay Road
(excavate pond to grade sides – DNR permit required. Fill/Grade other areas on property.)		

**Wilharm, Paul**

10-2-12

Land Disturbing Activity

\*\*\*\* Big Bay Road

(Fill/Grade areas on vacant parcel adjoining 3044 Big Bay Rd.)

**Hartzell, Robert**

Rental of a Principal Dwelling x 7

7 different properties

(Employee housing. Needs to go to TPC for Ordinance interpretation.)

**Craftivity, Inc.++**

(3) 'cabins' student housing

(review of application by TPC at 11-7 meeting. Application found incomplete – require corrected plot plan showing delineated wetland boundaries and wetlands flagged in the field. 24 parking spaces for the (3) proposed cabins required totaling 42 for the 6 cabins – TPC determined the 42 spaces do not include the parking available at the non- student housing structures. Awaiting corrected plot plan. Letter to property owner 11-8.)

**Ashland County Housing Authority**

Duplex

255 Voyageur Lane

(awaiting approval from MSD for sanitary to issue. I'm asking TPC Chair to sign as designated authority because I'm an adjoining property owner.)

**HRA Investors, LLC**

Land Disturbing Activity

922 Middle Road

(HRA is looking to divert wetland waterway flowage from Craftivity property to ponds at this site. I do not have an application for the LDA from Craftivity from their property yet. I believe I can issue this permit but will advise the applicant that the Craftivity application needs to be submitted and reviewed by the TPC for compliance with the CUP.)

### **III. Permit Applications Denied/Revoked:**

<b>Name</b>	<b>Date Applied</b>	<b>Date Denied</b>	<b>Type/Address</b>
None			

### **IV. Violations**

<b>Name</b>	<b>Violation</b>	<b>Order</b>
<b>Ed Kale</b>	Addition and Accessory without a permit at 690 Main St.	Order for Correction issued by ZA for the addition with approval from the TB. Certified letter returned "Refused" 9-7-12. Noncompliance with Town Board Order of Correction.
<b>Benjamin Ryder</b>	Rental without a permit at 2427 Spirit Lane. Also complaints filed with Police Dept re: double booking and non-refund of deposit to rental parties. Violations with Health Dept per Ken Tuckwell re: nonpayment of water testing fee and use of illegal hot tub for guests. Tuckwell bringing violation to District Attorney if not abated. Rental	

Permit Revoked by Order of the TB for not having required Health Dept license. Certified letter sent 8-30-12. Police Department received a complaint after permit was revoked. The complainant stated Mr. Ryder tried to house the visitors in the unfinished garage apartment - no sanitation/running water etc. Noncompliance with Town Board Order.

**Craftivity, Inc. aka Madeline Island School of the Arts** Rental of the Farmhouse without a permit at 978 Middle Road. Order for Correction issued by the Town Board to submit completed permit application. Certified letter sent 9-4-12 requiring a completed application by 4 pm 9-7-12. No application submitted as of the date of this report. Noncompliance with Town Board Order or Correction.

**Kron, Robert** Deck built without permit. TPC interpretation of CUP and permit requirement at 9-20-12 meeting. Certified letter to Kron 9-25 with permit application and appeal application. No application received as of the date of this report. Fees quadrupled. Will sent 2<sup>nd</sup> letter advising of the fee change and possible Orders from the TB for Correction

**Middle Road Literary Arts Society aka Tom's Burned Down Cafe** Upon inspection for the C.R. Nelson Complaint it appears there is an addition of a bandstand w/o a permit. I have yet to bring this for interpretation to the TPC but will do so at their next meeting.

#### **V. Land Use Permit – No Permit Required:**

<b>Name</b>	<b>Project/ Address</b>
None	

#### **VI. Correspondences: Letters/MEMO to**

<b>Name</b>	<b>Date</b>	<b>Re</b>
Ed Redinger	10-9-12	State Sanitary Approval letter
Frank Roffers	10-9-12	Permit Expiration
Adrien Cady	10-12-12	State Sanitary Approval Letter
MEMO-TPC	10-12-12	Gene Nelson request re: 30,000 g LP Tank
MEMO- LFSC	10-16-12	Local Food System, Zoning, Comp Plan etc
Gene Nelson	10-26-12	notice of TPC decision 30,000 gallon LP tank
		SS Road – CUP for Gravel Pit
MEMO-TB	11-6-12	ACHA Duplex fees

MEMO- TPC	11-7-12	Craftivity, Inc. (3) student housing 'cabins' LUP
Craftivity, Inc	11-8-12	Notice of TPC decision re: (3) new cabins

## VII. Complaints

<b>Name</b>	<b>Date</b>	<b>Regarding</b>
<b>Theune, Dan/Tracie</b>	10-2-12	Verbal complaint about adjoining property owner cutting trees on their property and having built stairs to the lake outside granted easement. Discussed with Larry Hildebrandt. Will write letter to the property owner notifying that a complaint was filed and am forwarding an issue of a deck built waterward of the ohwm to the DNR to pursue. Inspection of property by permission of property owner.
<b>Nelson, Charles R.</b>		Ongoing. Middle Road Literary Arts Society dba Tom's Burned Down Café – vision triangle etc. I received a call from Tom Nelson 9-7 who stated Charles Nelson's complaint is valid and he is working to resolve the issue. Email from Tom received 9-7. I drove around the area yeaterday to view the vision triangles. There appears to be an addition w/o a permit.
<b>Cushman, Mortimer</b>		Ongoing. Use of William Tibble property for business and use/maintenance of shared private road. Upon my request the TPC decided the use of the property for Hippophile Farm had exceeded its nonconforming home occupation permit and requires a CUP for a Home Business. TPC also decided the use and maintenance of a private road is not the jurisdiction of the TPC. Letter to property owner and complainant re TPC decision and my decision re; complaint and CUP required w/in 60 days. Tibble appealed. Appeal granted. I will review Section 15.1, the BOA Decision, and information received post appeal to determine my next step in the process. I will wait for the certiorari review period to be over before moving on.
<b>Brummer, Paul</b>	6-26	Ongoing. Use of Craftivity, Inc property to host the Madeline Island Wilderness Preserve Fundraiser. Alleges Violation of CUP confirmed by TPC interpretation. Interpretation not appealed. Public Hearing held 8-23. TPC recommendation made at

their 9-20 meeting. TB accepted the TPC recommendation to amend the CUP with modification. Final CUP to be signed and issued 45 days after TB decision.

#### **X. New Business**

I have a couple permits to get out so work can begin before this construction season is over. ACHA Duplex just needs approved connection to the MSD. Craftivity needs a couple items to complete their application per TPC 11-7 meeting. The TPC will review the completed application. Other than that I think all the permits for projects to begin this fall are in and issued and cement has been poured. I have heard from other County Administrators that they experienced the first real increase in permits since 2008 when the recession began. I think the trend is the same here. Hopefully it will continue.

When all the permits are out I have to resolve outstanding violations and begin pursuit of others.

I see in Ted's MRF budget workshop that when departments budget for computers they should include as part of their budget the cost for disposing of the old. I did not include that in my budget - I didn't know I should. I'll try to compensate with the cost of the new computer. I have to talk with Theron about transferring old computer files to the new computer - I'm told that there is a problem with information transfer from older Windows programs to the new Windows 2008.

#### **XI. Old Business**

Nothing to report.

+ indicates a County permit has been or needs to be issued for the project